

EXHIBIT 9

FROM: EMAIL ADDRESS

TO: EMAIL ADDRESS

RE: B & R SUPERMARKET COURT ORDERED NOTICE OF CLASS ACTION SETTLEMENT

United States District Court for the Eastern District of New York
B & R Supermarket, Inc., et al. v. Visa, Inc. et al.

If you are a merchant who incurred an unreimbursed EMV/chip Fraud Liability Shift chargeback on a Visa, Mastercard, American Express, or Discover credit or debit card transaction from October 1, 2015 to September 30, 2017, your rights may be affected by Settlements with two of the Defendants.

A Court authorized this Notice. This is not a solicitation from a lawyer.

Settlements have been reached with Discover Financial Services ("Discover") and American Express Company ("Amex") (together, the "Settling Defendants") in a class action lawsuit called *B & R Supermarket, Inc., et al. v. Visa, Inc. et al.*, Case No. 1:17-cv-02738-MKB-JAM (E.D.N.Y.). The lawsuit alleges Defendants, including Non-Settling Defendants Mastercard International, Inc. ("Mastercard"), Visa Inc. and Visa U.S.A. Inc. ("Visa") (together, "Visa" and with Mastercard, the "Non-Settling Defendants") violated antitrust laws by entering into a conspiracy to adopt the same policy via nearly identical rules for shifting billions of dollars in liability for fraudulent charges, or "chargebacks," from banks to merchants ("Fraud Liability Shift") when a credit or debit card was enabled with EMV/chip technology and the merchant's terminal was not enabled for EMV/chip technology and made the liability shift effective on the same day and in the same manner for all four networks. Defendants deny the legal claims and deny any wrongdoing or liability. The Court has not decided who is right.

Who's Included? Records show you are likely a member of the Class, defined as: All merchants who incurred one or more unreimbursed chargeback(s) between October 1, 2015 through and including September 30, 2017, pursuant to the Fraud Liability Shift for the assessment of Mastercard, Visa, Discover and/or Amex payment card chargebacks. Excluded from the Class are members of the judiciary and government entities or agencies, and any putative class members who previously excluded themselves from this lawsuit by filing a request for exclusion consistent with the requirements set forth in the Order Granting Unopposed Motion for Approval of Proposed Class Notice and Notice Plan dated June 3, 2022.

What Does the Settlement Provide? Discover and Amex have each reached settlements with Plaintiffs totaling a combined \$32.2 million (the "Gross Settlement Fund"). In addition to this monetary payment, the Settling Defendants have agreed to cooperate in certain ways in further litigation against the Non-Settling Defendants. Mastercard and Visa have not settled and Plaintiffs continue to litigate their legal claims against them.

Can I get a Payment now? No. There will be no payments to Class members at this time. You will be notified later of an opportunity to file a Claim Form, which you will need to do to receive a payment.

Other Options.

The Court will hold a Fairness Hearing on **Month XX, 20YY**, to consider any objections and whether to approve the Settlements along with Class Counsel's requests for: attorneys' fees of up to 33.3% of the Gross Settlement Fund, plus accrued interest, initial service awards of up to \$25,000 for each of the named Plaintiffs as Class Representatives, and the initial reimbursement of expenses incurred during the course of this litigation not to exceed \$2 million. You or your lawyer may attend and ask to speak at the hearing if you object, but you are not required to do so. All the Court's orders and any judgments will apply to you and legally bind you.

You may object to the Settlements and/or Class Counsel's request for attorneys' fees, expenses, or service awards to the named Plaintiffs by **Month XX, 20YY**. The [Long Form Notice](#) on the Settlement Website explains how to object. When the time comes, you will have to file a Claim Form to get a payment from the Settlements. You and other Class members will be provided notice when that time comes.

This Notice is a summary. Learn more about the Settlements [here](#), or by calling toll free 1-855-662-0073.